

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Jesse Aviram	Team: Team # 2	CCRB Case #: 200302944	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 04/23/2003 9:00 PM	Location of Incident: 202 Amboy Street	Precinct: 73	18 Mo. SOL 10/23/2004	EO SOL 10/23/2004	
Date/Time CV Reported Thu, 04/24/2003 12:36 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 04/24/2003 12:36 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POF Theresa Abbazia	26336	915210	73rd Precinct

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Scot Bosselman	30814	905346	73rd Precinct

Officer(s)	Allegation	Investigator Recommendation
A.POF Theresa Abbazia	Abuse: PO Theresa Abbazia threatened to arrest § 87(2)(b)	

Synopsis

§ 87(2)(b) called the CCRB on April 24, 2003, to complain about an incident that happened the previous evening. This investigator called § 87(2)(b) on April 28, 2003, and spoke with her about her complaint. She stated that she called 911 because her ex-boyfriend threatened her with a knife inside a laundromat and then broke into her home and took his bicycle back from her home. He also stole money from her home. A female officer, PO Abbazia, and a male officer, PO Bosselman, responded to her call. Even though the complainant had witnesses from the laundromat to support her story and had the security guard at her building able to corroborate her claim about the break-in, the police officers took no action against the complainant's ex-boyfriend, who was still on the scene. The officers did not search her ex-boyfriend for the knife and did not take him into custody. The complainant told PO Abbazia that she was going to call for another police unit, because they were not taking action against the complainant's ex-boyfriend. PO Abbazia told the complainant that she would be arrested if she called 911 again. § 87(2)(b) asked what she would be arrested for, but the officer did not say. § 87(2)(b) asked the officers for their names and after some hesitation they provided them to her. § 87(2)(b) stated that the officers did not do their jobs.

This investigator explained to § 87(2)(b) the difference between the jurisdictions of OCD and CCRB and that the CCRB could only handle the threat of arrest, but that the failure to take action could be investigated by OCD. This investigator explained the process of a CCRB investigation to § 87(2)(b) and asked her if she would like to have the case investigated by OCD and CCRB. § 87(2)(b) stated that she would prefer to only have an OCD investigation, because she has many witnesses to the officers' failure to take action, but the only witnesses to the threat of arrest were her § 87(2)(b) old son and her ex-boyfriend. She stated that she would like the CCRB case withdrawn and the OCD case investigated. This investigator informed her that the CCRB would close her case and simultaneously refer her other allegations to OCD. This was done on April 29, 2003. The OCD case # is 200303065.

§ 87(2)(b) stated that she was not coerced by anyone for the CCRB or NYPD to withdraw the CCRB case and she agreed to sign a withdrawal letter and mail it back to the CCRB in the self-addressed stamped envelope provided. § 87(2)(b) withdrawal statement was recorded on tape #§ 87(2)(b) side A and was reviewed by Manager Anthony DiIorio.

Mediation was not offered to § 87(2)(b) because of PO Abbazia's CCRB history and because the case could not be mediated if there was a concurrent OCD investigation.

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: